

1 Hon. Richard A. Jones  
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IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

11 EL PAPEL, LLC; BERMAN 2, LLC; and )  
12 KARVELL LI, an individual, ) Civil Action No. 2:20-cv-01323-RAJ-JRC  
13 Plaintiffs, )  
14 v. )  
15 JAY R. INSLEE, in his official capacity as )  
16 Governor of the State of Washington; )  
17 JENNY A. DURKAN, in her official )  
18 capacity as the Mayor of the City of Seattle; )  
and THE CITY OF SEATTLE, a municipal )  
Corporation, )  
19 Defendants. )  
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**PLAINTIFFS' UNOPPOSED MOTION  
FOR LEAVE TO CONDITIONALLY  
AMEND THE COMPLAINT**

**Note on Motion Calendar:  
December 14, 2020**

21 Pursuant to Federal Rule of Civil Procedure 15(a)(2), Plaintiffs have obtained Defendants'  
22 written consent to amend the Complaint in this matter. *See* Exhibit A. As required by Local Civil  
23 Rule 15, Plaintiffs have included as Exhibit B the proposed amended pleading with brackets  
24 around language to be deleted and underlining to indicate proposed language to be added. *See*  
25 Exhibit B.

26 The United States Magistrate Judge in this matter recently issued a Report and  
27 Recommendation, suggesting that this Court should dismiss State Defendants on the grounds of  
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sovereign immunity. *See* Dkt # 63 at p. 30. Should this Court agree with the Report and Recommendation on this question, Plaintiffs seek leave to amend the complaint to add Washington Attorney General Robert Ferguson.

As required by Local Civil Rule 15, Plaintiffs have included as Exhibit B the proposed amended pleading with brackets around language to be deleted and underlining to indicate proposed language to be added. *See Exhibit B.*

The proposed amended complaint would simply add Robert Ferguson as a defendant, named in his official capacity as Attorney General for the State of Washington, and adds a brief sentence regarding Mr. Ferguson as a party in paragraph 12.

DATED: December 14, 2020.

Respectfully submitted:

s/ ETHAN W. BLEVINS

s/ BRIAN T. HODGES

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**CERTIFICATE OF SERVICE**

I hereby certify that on December 14, 2020, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all counsel of record.

s/ ETHAN W. BLEVINS  
Ethan W. Blevins, WSBA # 48219

*Attorney for Plaintiffs*